

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	§	Group Art Unit:	3621
Herman Rodriguez et al.	§		
Serial No.: 10/733,838	§	Examiner:	Johns, Christopher C.
Date Filed: December 11, 2003	§	Confirmation No.:	2206
	§	IBM Docket No.:	AUS920030905US1
Title: E-Commerce by Check	§	Atty Docket No.:	(4027)

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SUMMARY OF EXAMINER INTERVIEW ON OCTOBER 2, 2008

This paper provides a summary pursuant to MPEP 713.04 of a telephonic Examiner Interview conducted on October 2, 2008 between the Examiner and Garland Charpiot, attorney for the Applicants. The Interview was conducted after the mailing of the Final Office Action on July 3, 2008.

Applicants asked Examiner about his interpretation of “decoding the encoded PIN” limitation used in the independent claims of Applicants. Applicants referenced paragraphs [0062], [0056], and [0039] of Meadow, which illustrate how a check verifier may compute a hash value for a check to validate the check and how a hash value cannot be “used in a reverse process” ([0039] of Meadow). In other words, Applicants stated their belief that Meadow does not “decode” but instead “computes” a hash value to verify that the (newly) computed hash value matches the transmitted hash value in order to authenticate the check. Examiner stated that he understood the point or distinction being made by Applicants, and that he would have to consider the term “decode” further before agreeing or disagreeing with position of Applicants.

Applicants then asked Examiner about the claim limitation “to verify that sufficient funds are available”. Applicants pointed out that on the website of Telecheck™, in an answer to one of the frequently asked questions, the company admits that the Telecheck™ service does not routinely access an account balance of an individual when deciding to authorize a check

purchase. However, Applicants further pointed out that Telecheck™ will “in rare instances” contact the bank of a consumer, at which point the account balance “may” be verified. Examiner took the position that possibly verifying the account balance, even though rare would be sufficient to satisfy the referenced claim limitation.

Applicants and Examiner did not reach any formal agreements.

Respectfully submitted,

November 3, 2008

Date

/Garland D. Charpiot/

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